Docket No. AUS000101US1

# METHOD AND APPARATUS FOR IDENTIFYING UNIVERSAL RESOURCE LOCATOR REWRITING IN A DISTRIBUTED DATA PROCESSING SYSTEM

### BACKGROUND OF THE INVENTION

#### 1. Technical Field:

The present invention relates generally to an improved data processing system and in particular to a method and apparatus for detecting the monitoring of user requests in a network. Still more particularly, the present invention provides a method and apparatus for identifying rewriting of universal resource locators in content requested by a user.

15

20

5

10

#### 2. Description of Related Art:

The Internet, also referred to as an "internetwork", is a set of computer networks, possibly dissimilar, joined together by means of gateways that handle data transfer and the conversion of messages from the sending network to the protocols used by the receiving network (with packets if necessary). When capitalized, the term "Internet" refers to the collection of networks and gateways that use the TCP/IP suite of protocols.

25 The Internet has become a cultural fixture as a source of both information and entertainment. Many businesses are creating Internet sites as an integral part of their marketing efforts, informing consumers of the products or services offered by the business or providing other information seeking to engender brand loyalty. Many federal, state, and local government agencies are also

10

15

20

# Docket No. AUS000101US1

employing Internet sites for informational purposes, particularly agencies which must interact with virtually all segments of society such as the Internal Revenue Service and secretaries of state. Providing informational guides and/or searchable databases of online public records may reduce operating costs. Further, the Internet is becoming increasingly popular as a medium for commercial transactions.

Currently, the most commonly employed method of transferring data over the Internet is to employ the World Wide Web environment, also called simply "the Web". Other Internet resources exist for transferring information, such as File Transfer Protocol (FTP) and Gopher, but have not achieved the popularity of the Web. In the Web environment, servers and clients effect data transaction using the Hypertext Transfer Protocol (HTTP), a known protocol for handling the transfer of various data files (e.g., text, still graphic images, audio, motion video, The information in various data files is formatted for presentation to a user by a standard page description language, the Hypertext Markup Language (HTML). In addition to basic presentation formatting, HTML allows developers to specify "links" to other Web resources identified by a Uniform Resource Locator (URL).

25 A URL is a special syntax identifier defining a communications path to specific information. Each logical block of information accessible to a client, called a "page" or a "Web page", is identified by a URL. The URL provides a universal, consistent method for finding and accessing this information, not necessarily for the user, but mostly for the user's Web "browser". A browser is a

10

15

20

25

30

Docket No. AUS000101US1

program capable of submitting a request for information identified by an identifier, such as, for example, a URL. A user may enter a domain name through a graphical user interface (GUI) for the browser to access a source of content. The domain name is automatically converted to the Internet Protocol (IP) address by a domain name system (DNS), which is a service that translates the symbolic name entered by the user into an IP address by looking up the domain name in a database.

The Internet also is widely used to transfer applications to users using browsers. With respect to commerce on the Web, individual consumers and business use the Web to purchase various goods and services. In offering goods and services, some companies offer goods and services solely on the Web, while others use the Web to extend their reach.

With this wide use of the Internet, businesses have become interested in the behavior of users on the Internet. Information on the behavior of users on the Internet is useful in targeting users for advertising and for businesses trying to identify who visits their Web sites. With respect to tracking user behavior, privacy has become an important issue for many users. The tracking of the behavior of a user is often considered a violation of the user's privacy. One common mechanism used to track browsing habits of a user employs the use of a cookie. A cookie is data created by a Web server that is stored on a user's computer. The cookie provides a way for the Web site to keep track of a user's patterns and preferences and, with the cooperation of the Web browser, to store them on the user's own hard disk. Browsers,

10

15

20

25

30

# Docket No. AUS000101US1

however, allow the user an option to refuse cookies or to selectively monitor the acceptance of cookies.

Other mechanisms are present for tracking user behavior other than cookies. One example is the rewriting of URLs by a Web server. In such a case, different users visiting the same site will receive the same pages, but the pages will contain URLs that are dynamically generated for each particular user when that user accesses a particular page. For example, a home page for a Web site, such as www.news.com, may include a hyperlink to a sports site. This hyperlink may be dynamically generated in a manner that can be used to track the behavior of users. When a first user downloads the home page for the URL, www.news.com/index.html, on January 10, 2000, at 3:35 p.m., the home page includes the following URL for the hyperlink to the sports site: www.news.com/sports/user#001month 01 10 00 time 3 35 pm. When a second user downloads this home page at 3:36 p.m. on the same day, the following hyperlink to the sports site is generated for the home page: www.news.com/sports/user#002month\_01\_10\_00\_time\_3\_36\_pm. For each user, all of the hyperlinks contain a user field, a date field, and a time field. With this type of hyperlink, it is easy for a Web server to send the same page on sports by interpreting the hyperlink selected by the user and at the same time to track the user. With this information, the time taken to read a Web page also may be identified. One solution for this type of tracking is to employ privacy trust labels generated by sites that review Web sites and certify that Web sites do not track user behavior without permission. Such a system, however,

# Docket No. AUS000101US1

is expensive and prone to fraud. Also, user intervention is needed to determine whether to visit the site.

Therefore, it would be advantageous to have an improved method and apparatus for identifying monitoring or tracking of user behavior.

15

Docket No. AUS000101US1

#### SUMMARY OF THE INVENTION

The present invention provides a method and apparatus in a data processing system for detecting monitoring of access to content. Content from a source using an identifier is requested, and a set of identifiers used to reach the content is sent to a validation service. The validation service retrieves content using the set of identifiers. Identifiers within the retrieved content is compared with identifiers located within the set of identifiers. If a match between identifiers in the set of identifiers and those identifiers in the retrieved content is absent, a response is generated indicating that access to the content is being monitored. In response to receiving the response from the validation service, the receipt of content from the source is selectively prevented.

10

15

25

30

Docket No. AUS000101US1

#### BRIEF DESCRIPTION OF THE DRAWINGS

The novel features believed characteristic of the invention are set forth in the appended claims. The invention itself, however, as well as a preferred mode of use, further objectives and advantages thereof, will best be understood by reference to the following detailed description of an illustrative embodiment when read in conjunction with the accompanying drawings, wherein:

Figure 1 depicts a pictorial representation of a distributed data processing system in which the present invention may be implemented;

Figure 2 is a block diagram of a data processing system that may be implemented as a server in accordance with a preferred embodiment of the present invention;

Figure 3 is a block diagram illustrating a data processing system in which the present invention may be implemented;

20 **Figure 4** is a block diagram of components used to identify and handle unauthorized monitoring of user access to content in accordance with a preferred embodiment of the present invention;

Figure 5 is a diagram illustrating Web pages and URLs used in identifying unauthorized monitoring of user behavior in accordance with a preferred embodiment of the present invention;

Figure 6 is a block diagram of a browser in accordance with a preferred embodiment of the present invention in which the processes of the present invention may be implemented;

Docket No. AUS000101US1

Figure 7 is a flowchart of a process to request a determination of whether user activities are being monitored in accordance with a preferred embodiment of the present invention; and

Figure 8 is a flowchart of a process used to determine whether user activities are being monitored in accordance with a preferred embodiment of the present invention.

10

15

20

25

30

Docket No. AUS000101US1

#### DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

With reference now to the figures, Figure 1 depicts a pictorial representation of a distributed data processing system in which the present invention may be implemented. Distributed data processing system 100 is a network of computers in which the present invention may be implemented. Distributed data processing system 100 contains a network 102, which is the medium used to provide communications links between various devices and computers connected together within distributed data processing system 100. Network 102 may include permanent connections, such as wire or fiber optic cables, or temporary connections made through telephone connections.

In the depicted example, a server 104 is connected to network 102 along with storage unit 106. In addition, clients 108, 110, and 112 also are connected to network These clients 108, 110, and 112 may be, for example, personal computers or network computers. For purposes of this application, a network computer is any computer, coupled to a network, which receives a program or other application from another computer coupled to the network. In the depicted example, server 104 provides data, such as boot files, operating system images, and applications to clients 108-112. Clients 108, 110, and 112 are clients to In this example, a validation server 114 also server 104. is present within distributed data processing system 100. Distributed data processing system 100 may include additional servers, clients, and other devices not shown.

In the depicted example, distributed data processing

10

15

20

Docket No. AUS000101US1

system 100 is the Internet with network 102 representing a worldwide collection of networks and gateways that use the TCP/IP suite of protocols to communicate with one another. Of course, distributed data processing system 100 also may be implemented as a number of different types of networks, such as, for example, an intranet, a local area network (LAN), or a wide area network (WAN). Figure 1 is intended as an example, and not as an architectural limitation for the present invention.

Referring to Figure 2, a block diagram of a data processing system that may be implemented as a server, such as server 104 or validation server 114 in Figure 1, is depicted in accordance with a preferred embodiment of the present invention. Data processing system 200 may be a symmetric multiprocessor (SMP) system including a plurality of processors 202 and 204 connected to system bus 206. Alternatively, a single processor system may be employed. Also connected to system bus 206 is memory controller/cache 208, which provides an interface to local memory 209. I/O bus bridge 210 is connected to system bus 206 and provides an interface to I/O bus 212. Memory controller/cache 208 and I/O bus bridge 210 may be integrated as depicted.

Peripheral component interconnect (PCI) bus bridge

25 214 connected to I/O bus 212 provides an interface to PCI local bus 216. A number of modems may be connected to PCI bus 216. Typical PCI bus implementations will support four PCI expansion slots or add-in connectors.

Communications links to network computers 108-112 in

30 **Figure 1** may be provided through modem **218** and network

10

15

20

25

30

Docket No. AUS000101US1

adapter 220 connected to PCI local bus 216 through add-in boards.

Additional PCI bus bridges 222 and 224 provide interfaces for additional PCI buses 226 and 228, from which additional modems or network adapters may be supported. In this manner, data processing system 200 allows connections to multiple network computers. A memory-mapped graphics adapter 230 and hard disk 232 may also be connected to I/O bus 212 as depicted, either directly or indirectly.

Those of ordinary skill in the art will appreciate that the hardware depicted in **Figure 2** may vary. For example, other peripheral devices, such as optical disk drives and the like, also may be used in addition to or in place of the hardware depicted. The depicted example is not meant to imply architectural limitations with respect to the present invention.

The data processing system depicted in **Figure 2** may be, for example, an IBM RISC/System 6000 system, a product of International Business Machines Corporation in Armonk, New York, running the Advanced Interactive Executive (AIX) operating system.

With reference now to Figure 3, a block diagram illustrating a data processing system in which the present invention may be implemented. Data processing system 300 is an example of a client computer. Data processing system 300 employs a peripheral component interconnect (PCI) local bus architecture. Although the depicted example employs a PCI bus, other bus architectures, such as Accelerated Graphics Port (AGP) and Industry Standard Architecture(ISA), may be used. Processor 302 and main

15

# Docket No. AUS000101US1

memory 304 are connected to PCI local bus 306 through PCI bridge 308. PCI bridge 308 also may include an integrated memory controller and cache memory for processor 302. Additional connections to PCI local bus 306 may be made through direct component interconnection or through add-in boards. In the depicted example, local area network (LAN) adapter 310, SCSI host bus adapter 312, and expansion bus interface 314 are connected to PCI local bus 306 by direct component connection. In contrast, audio adapter 316, graphics adapter 318, and audio/video adapter 319 are connected to PCI local bus 306 by add-in boards inserted into expansion slots. Expansion bus interface 314 provides a connection for a keyboard and mouse adapter 320, modem 322, and additional memory 324. Small computer system interface (SCSI) host bus adapter 312 provides a connection for hard disk drive 326, tape drive 328, and CD-ROM drive 330. Typical PCI local bus implementations will support three or four PCI expansion slots or add-in connectors.

An operating system runs on processor 302 and is used to coordinate and provide control of various components within data processing system 300 in Figure 3. The operating system may be a commercially available operating system, such as OS/2, which is available from

International Business Machines Corporation. "OS/2" is a trademark of International Business Machines Corporation. An object oriented programming system, such as Java, may run in conjunction with the operating system and provides calls to the operating system from Java programs or

30 applications executing on data processing system 300.

15

20

25

30

Docket No. AUS000101US1

"Java" is a trademark of Sun Microsystems, Inc.

Instructions for the operating system, the object-oriented operating system, and applications or programs are located on storage devices, such as hard disk drive 326, and may be loaded into main memory 304 for execution by processor 302.

Those of ordinary skill in the art will appreciate that the hardware in Figure 3 may vary depending on the implementation. Other internal hardware or peripheral devices, such as flash ROM (or equivalent nonvolatile memory) or optical disk drives and the like, may be used in addition to or in place of the hardware depicted in Figure 3. Also, the processes of the present invention may be applied to a multiprocessor data processing system.

For example, data processing system 300, if optionally configured as a network computer, may not include SCSI host bus adapter 312, hard disk drive 326, tape drive 328, and CD-ROM 330, as noted by dotted line 332 in Figure 3 denoting optional inclusion.

The depicted example in **Figure 3** and above-described examples are not meant to imply architectural limitations. For example, data processing system **300** also may be a notebook computer or hand held computer in addition to taking the form of a PDA. Data processing system **300** also may be a kiosk or a Web appliance.

The present invention provides a method, apparatus, and computer implemented instructions for identifying monitoring of user behavior and taking corrective action in response to identifying unauthorized monitoring. When

10

15

20

25

Docket No. AUS000101US1

a concern with privacy on a Web site is present, a first request is sent by the user at a client for a Web page from the Web site. A second request is sent by the client to a validating server to see whether unauthorized monitoring is occurring. This second request includes a sequence of identifiers, such as, for example, a set of URLs, by which the user went to the Web page. The validation server will trace the path using the sequence of identifiers and determine whether the identifiers being returned from the Web site are different from those returned to the client. If the identifiers being returned are different, the validation server will send such an indication to the client. In response, the client may add the Web site to a list of Web sites to be banned or avoided.

With reference now to Figure 4, a block diagram of components used to identify and handle unauthorized monitoring of user access to content is depicted in accordance with a preferred embodiment of the present invention. Client 400 may send requests to Web server 402 through browser 404. In this example, client 400 may be a client, such as data processing system 300 in Figure 3, and Web server 402 may be implemented using a Web server, such as data processing system 200 in Figure 2. Browser 404 may be implemented using Web browsers, such as Microsoft Internet Explorer from Microsoft Corporation or Netscape Navigator from Netscape Communications Corporation.

Web server **402** receives and processes the request through request engine **406**. Request engine **406** accesses content in content database **408** to generate or retrieve a

15

20

25

Docket No. AUS000101US1

Web page for return to client 400.

If the user at client 400 suspects unauthorized monitoring is occurring when retrieving a Web page from Web server 402, a request may be sent to validation server 410 to determine whether such a situation is occurring. The request is received by validation engine 412. these examples, the request includes a set of URLs used to retrieve the Web page from Web server 402. example, the set of URLs are sent in a sequence by which browser 404 retrieved the Web page. Of course, other types of resource location pointers and record identifiers other than URLs may be used as well with the mechanism of the present invention.

In response to receiving the request from client 400, validation engine 412 sends requests to Web server 402 for Web pages using the set of URLs. URLs in the retrieved content are compared with those in the set of URLs received from client 400 to determine whether a match is present. More specifically, validation engine 412 starts with the first URL in the set and retrieves the Web page for the URL. The URLs in the Web page are compared with the next URL in the set to see if a match occurs. the second URL in the set is used to retrieve a second Web page pointed to by the second URL. A comparison is made as to whether a URL in the second Web page matches the third URL in the set. This comparison goes on through the set of URLs to see if the URLs being sent to client 400 are different from those retrieved by validation engine 412 in validation server 410. Specifically, the

30 comparison is to see whether rewriting or dynamic

30

Docket No. AUS000101US1

generation of identifiers specific for a particular user is occurring. If such a situation is present, validation server **410** will provide this indication in a response returned to client **400**.

With such a response, client 400 may block content from Web server 402. More specifically, the content blocked would be with respect to a particular Web site on Web server 402 identified by a domain name. Web server 402 may host other Web sites that do not perform unauthorized monitoring of user access to content.

Turning next to Figure 5, a diagram illustrating Web pages and URLs used in identifying unauthorized monitoring of user behavior is depicted in accordance with a preferred embodiment of the present invention. This diagram illustrates Web pages received by a client, such as client 400 in Figure 4, and Web pages received by a validation server, such as validation server 410 in Figure 4.

In **Figure 4**, a URL to a home page is entered in a 20 browser by a user. In this example, the URL is www.corporation.com. This URL is used to retrieve home page **500** from a Web server. Home page **500** contains the following URL: www.corporation.com/tech. The URL is then used to retrieve Web page **502**, which contains the following URL:

ad.doubleclick.net/3423844290349224\_time2315\_date010300.

In this example, this URL is selected by the user, and the browser requests the Web page associated with the URL from the Web server. In addition, a request **504** is sent to a validation server to see whether unauthorized

15

20

25

30

Docket No. AUS000101US1

monitoring of the user's activities has occurred. Request **504** contains URLs: (1) www.corporation.com, (2) www.corporation.com/tech, and (3) ad.doubleclick.net/3423844290349224\_time2315\_date010300.

5 These URLs are in an order or sequence in which the user followed to request the Web page.

In response to receiving request 504, the validation server will request a home page from the Web site using www.corporation.com. In this example, home page 506 is returned to the validation server. The validation server will determine whether the second URL, www.corporation.com/tech, matches the URL returned in home page 506. In this example, the URL in home page 500 and the URL in home page 506 match. The validation server will then take the second URL from request 504 and request the Web page pointed to by the URL. In this example, Web page 508 is returned. When Web page 508 is received by the validation server, the URL in this page is compared to the third URL received in the request,

ad.doubleclick.net/3423844290349224\_time2315\_date010300. In this example, a match is not present between the URL in Web page 508 and the URL in request 504. As a result, a response is generated indicating that unauthorized monitoring or tracking of the user's activities is occurring. This indication may be provided by placing the domain name of the Web site in the response to the client. In this case, the domain name is www.corporation.com.

As a result, the user may decide to place this Web site on a list of banned Web sites to prevent visiting or receiving content from the Web site. Presently available applications may be used to implement banning of Web

10

15

20

Docket No. AUS000101US1

sites. For example, the "Internet Junkbuster Proxy" is an application available from Junkbusters Corporation, http://www.junkbusters.com. This application blocks requests for URLs matching those in a file maintained by the application.

With reference next to Figure 6, a block diagram of a browser is depicted in accordance with a preferred embodiment of the present invention in which the processes of the present invention may be implemented. In this example, browser 600 includes a graphical user interface (GUI) 602, which allows the user to interface or communicate with browser 600. This interface provides for selection of various functions through menus 604 and allows for navigation through navigation 606. For example, menu 604 may allow a user to perform various functions, such as saving a file, opening a new window, displaying a history, and entering a URL. Navigation 606 allows for a user to navigate various pages and to select web sites for viewing. For example, navigation 606 may allow a user to see a previous page or a subsequent page relative to the present page. Preferences such as those illustrated in Figure 6 may be set through preferences 608.

25 browser 600 receives documents and other resources from a network such as the Internet. Further, communications 610 is used to send or upload documents and resources onto a network. In the depicted example, communications 610 uses HTTP. Other protocols may be used depending on 30 the implementation. Documents that are received by

Docket No. AUS000101US1

browser 600 are processed by language interpretation 612, which includes an HTML unit 614 and a JavaScript unit 616. Language interpretation 612 will process a document for presentation on graphical display 620. In particular, HTML statements are processed by HTML unit 614 for presentation while JavaScript statements are processed by JavaScript unit 616.

In this example, the processes of the present invention may be implemented within validation unit **618**.

- In particular, validation unit **618** may contain processes to obtain a set of URLs and generate a request to a validation server using the URLs. These URLs may be obtained from a history list or tracked by validation unit **618** as the user browses different Web sites.
- 15 Additionally, validation unit **618** may be used to identify responses from a validation server and to initiate an alert to the user through GUI **602**. Further, if a Web site is to be banned or avoided, validation unit **618** may place the domain name of the Web site in an appropriate data structure to allow another process to monitor for and prevent access to banned sites.

Graphical display 620 includes layout unit 622, rendering unit 624, and window management 626. These units are involved in presenting web pages to a user based on results from language interpretation 612.

Browser 600 is presented as an example of a browser program in which the present invention may be embodied. Browser 600 is not meant to imply architectural limitations to the present invention. Presently available browsers may include additional functions not

30

25

10

15

user.

30

Docket No. AUS000101US1

shown or may omit functions shown in browser 600.

A browser may be any application that is used to search for and display content on a distributed data processing system. Browser 600 make be implemented using known browser applications, such Netscape Navigator or Microsoft Internet Explorer. Netscape Navigator is available from Netscape Communications Corporation while Microsoft Internet Explorer is available from Microsoft Corporation.

With reference now to Figure 7, a flowchart of a process to request a determination of whether user activities are being monitored is depicted in accordance with a preferred embodiment of the present invention. The processes in Figure 7 may be implemented in a browser, such as, for example, browser 600 in Figure 6.

- Of course, these processes may be implemented elsewhere in a client at which a user is accessing content from a network. The process begins by sending a request to a source Web server for a Web page (step 700). A request
- is also sent to a validating Web server in which the request contains the sequence of URLs used to request the Web page (step 702). Steps 700 and 702 may occur simultaneously or in any order depending on the implementation. The request containing the URLs may be obtained from a history maintained by the browser or through another source tracking the URLs used by the

A response to the request is received (step 704). A determination is made as to whether the response is the requested Web page (step 706). If the response is the requested Web page, the Web page is displayed (step 708)

10

15

20

25

30

# Docket No. AUS000101US1

with the process then returning to step **704**. If the response is not a Web page, then a determination is made as to whether the response indicates a violation of privacy has occurred (step **710**). This determination may be made by seeing whether a domain name has been returned from the validation server. If one or more domain names have been returned, then a violation has occurred in which monitoring of user activities has been detected.

If a violation has occurred, the user is notified of the violation (step 712). This may be a visual alert or a combination of visual and audio alerts. Additionally, the notification may also request that the user decide whether to ban the Web site. A determination is then made as to whether the Web site is to be banned (step 714). If the Web site is to be banned, the Web site is added to a list of banned Web sites (step 716) with the process terminating thereafter. If the Web site is not to be banned, the process just terminates. The process also terminates if, in step 710, a determination is made that no violation of privacy has occurred.

With reference now to **Figure 8**, a flowchart of a process used to determine whether user activities are being monitored is depicted in accordance with a preferred embodiment of the present invention. This process is directed towards determining whether rewriting of URLs is occurring for a user. The process may be implemented in a validation server, such as validation server **410** in **Figure 4**. Additionally, these processes also may be implemented within the same client as the Web browser, as well as on a different client or on a server.

10

15

20

25

30

# Docket No. AUS000101US1

The process begins by receiving a request to validate a set of URLs (step 800). The process then selects an unprocessed URL from a set of URLs (step 802). The set of URLs are in a sequence or order. A Web page is requested using the selected URL (step 804). The Web page is received (step 806), and one or more URLs in the Web page are identified (step 808). The identified URLs are compared with the URL selected for processing (step 810). A determination is made as to whether a match is present between the selected URL and the identified URLs (step 812). If a match is absent, the domain name of the Web site is added to the response (step 814). A determination is then made as to whether additional unprocessed URLs are present in the set of URLs (step 816).

If additional unprocessed URLs are present, the process returns to step 802. Otherwise, the response is sent to the requester (step 818) with the process terminating thereafter. Turning again to step 812, if a match is present, the process proceeds to step 816 as described above.

It is important to note that while the present invention has been described in the context of a fully functioning data processing system, those of ordinary skill in the art will appreciate that the processes of the present invention are capable of being distributed in the form of a computer readable medium of instructions and a variety of forms, and that the present invention applies equally regardless of the particular type of signal bearing media actually used to carry out the

15

Docket No. AUS000101US1

distribution. Examples of computer readable media include recordable-type media such a floppy disc, a hard disk drive, a RAM, CD-ROMs, DVD-ROMs, and transmission-type media such as digital and analog communications links, wired or wireless communications links using transmission forms such as, for example, radio frequency and light wave transmissions. The computer readable media may take the form coded formats that are decoded for actual use in a particular data processing system.

The description of the present invention has been presented for purposes of illustration and description, and is not intended to be exhaustive or limited to the invention in the form disclosed. Many modifications and variations will be apparent to those of ordinary skill in the art. For example, although the depicted examples are directed towards identifying rewriting of URLs, the mechanism of the present invention may be applied to other types of identifiers used to obtain content.

20 Further, the processes of the present invention may be applied to other types of content containing identifiers other than Web pages. The embodiment was chosen and described in order to best explain the principles of the invention, the practical application, and to enable others of ordinary skill in the art to understand the invention for various embodiments with various modifications as are suited to the particular use contemplated.